

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,**

Plaintiff/Judgment Creditor,

VS.

EDWARD A. DURANTE,

Defendant.

01-cv-09056 (DAB)

JOINT MOTION FOR TURNOVER OF RECORDS AND ASSETS

Plaintiff, United States Securities and Exchange Commission (“SEC” or the “Commission”), and Defendant, Edward A. Durante hereby files a Joint Motion for Turnover of Records and Assets and shows the Court the following:

1. Defendant just learned that his previous counsel, Mr. Scott Randy Zelin (hereinafter “Zelin”), has located several boxes of documents relevant to this matter.
2. Zelin has informed Defendant through his counsel that he has discovered folders with enough stock certificates to almost fill one banker’s box.
3. Zelin also informed Defendant through his counsel that he has located bank records relevant to this matter.
4. The stock certificates and bank records may represent assets that could be used to partially satisfy Defendant’s judgment obligation in this matter.
5. These records have been in Zelin’s possession since approximately 2001.
6. An accounting of all of Defendant’s assets is necessary to assist in complying with this Court’s Judgment.

WHEREFORE, the SEC and Defendant jointly move this Court for a Turnover Order directing Zelin to immediately turn over all of Defendant's records and assets to Durante's current counsel, Mr. Richard Willstatter, and further Ordering Defendant to provide an accounting of the above-documents, which may be satisfied by the provision of copies of any and all of Defendant's assets and records included in those documents evidencing Defendant's assets to the SEC with 21 days of Mr. Willstatter's receipt of such records.

Dated: April 10, 2013

Respectfully submitted,

_____/s/_____
Carol E. Schultze
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_____/s/_____
Richard David Willstatter
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200 Mamaroneck Avenue
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CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2013, I caused to be served the Joint Motion for Turnover of

Assets and Records, postage prepaid, on the following:

Thomas E. McGarrity, Esq.
Rosenblatt and McGarrity
200 Mamaroneck Avenue
White Plains, NY 10601

I, Carol E. Schultze, hereby further certify that on April 10, 2013, the foregoing document, filed through the ECF System, was served electronically on the registered participants as identified on the Notice of Electronic Filing.

/s/

Carol E. Schultze
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